

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.

PROMESA
Title III

No. 17 BK 4780-LTS

Re: ECF Nos. 24847, 24849

This filing relates only to PREPA

URGENT UNOPPOSED MOTION FOR EXTENSION OF DEADLINES

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States District Court Judge Laura Taylor Swain:

The Puerto Rico Electric Power Authority (“PREPA”) respectfully submits this urgent unopposed motion (the “Urgent Motion”) for entry of an order, substantially in the form attached hereto as Exhibit A (the “Proposed Order”), extending the deadlines set forth in the *Order Scheduling Briefing of Power Constructors, Inc.’s Motion for Allowance and Payment of Administrative Expense Claims in the Total Sum of \$224,828.12* [ECF No. 24849] (the “Scheduling Order”).

Request for Relief

1. On August 4, 2023, Power Constructors, Inc. (“Movant”) filed *Power Constructors, Inc.’s Motion for Allowance and Payment of Administrative Expense Claims in the Total Sum of \$224,828.12* [ECF No. 24847] (the “Motion”). The Motion alleges that Movant “enter[ed] into a professional services contract with [Movant] to conduct an analytical study to help Puerto Rico obtain the most efficient, sustainable, and resilient power generation mix,” and “[a]fter rendering the services as contractually obligated, Movant proceeded to submit five (5) invoices totaling \$224,828.12, which have not been paid by PREPA.” Mot. at 2. Accordingly, the Motion requests this Court “allow [Movant’s] claim in the aggregate amount of \$224,828.12 as an administrative expense claim and order[] to immediately pay the same” See Mot. at 3.

2. On August 7, 2023, the Court entered the Scheduling Order, which provides that responses to the Motion must be filed by August 21, 2023 at 5:00 PM (AST), and Movant’s reply by August 28, 2023 at 5:00 PM (AST).

3. Since the filing of the Motion, PREPA has begun researching the allegations set forth in the Motion and gathering the relevant information, including information requested from counsel for Movant, necessary to evaluate the allegations and relief requested in the Motion and

to determine whether a consensual resolution is possible. Accordingly, PREPA, with no opposition from Movant, proposes the following extensions of the deadlines set forth in the Scheduling Order:

- The deadline to respond to the Motion shall be extended to **September 11, 2023**.
- The deadline for Movant to file a reply to a response, if any, shall be extended to **September 18, 2023**.
- The Court will thereafter take the Motion on submission, unless the Court determines that a hearing is necessary.

4. Pursuant to Paragraph I.H of the *Seventeenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 24726-1] (the “Case Management Procedures”), PREPA hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter without a hearing; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and Movant does not oppose the request in this urgent motion.

Notice

5. PREPA has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors’ bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) all parties filing a notice of appearance in these Title

III cases; and (i) Movant. A copy of the motion is also available on PREPA's case website at:
<https://cases.ra.kroll.com/puertorico/>.

6. PREPA submits that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE PREPA requests the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: August 21, 2023
San Juan, Puerto Rico

Respectfully submitted,

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as representative for PREPA*

Exhibit A

Proposed Order

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

Re: ECF No. _____

(Jointly Administered)

**ORDER GRANTING URGENT UNOPPOSED
MOTION FOR EXTENSION OF DEADLINES**

Upon the *Urgent Unopposed Motion for Extension of Deadlines* [ECF No. _____] (the “Extension Motion”);² and the Court having found it has subject matter jurisdiction over this

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² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Extension Motion.

matter pursuant to PROMESA section 306; and it appearing that venue in this district is proper pursuant to PROMESA section 307; and the Court having found that the relief requested in the Extension Motion is in the best interests of PREPA and Movant; and the Court having found that PREPA provided adequate and appropriate notice of the Extension Motion under the circumstances and that no other or further notice is required; and the Court having reviewed the Extension Motion; and the Court having determined that the factual bases set forth in the Extension Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Extension Motion is granted as set forth herein.
2. The deadline to respond to the Motion shall be extended to **September 11, 2023**.
3. The deadline for Movant to file a reply shall be extended to **September 18, 2023**.
4. The Court will thereafter take the Motion on submission, unless the Court determines that a hearing is necessary.

Dated: _____, 2023

HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT COURT JUDGE